



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/979,567	11/26/1997	KAZUO SHIOTA	2091-0145P-S	5872

2292 7590 12/26/2001

BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

EXAMINER

HEWITT II, CALVIN L

ART UNIT	PAPER NUMBER
----------	--------------

2161

25

DATE MAILED: 12/26/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

08/979,567

Applicant(s)

SHIOTA ET AL.

Examiner

Calvin L Hewitt II

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2001.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-8,10-15,17-21 and 23-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

***Status of Claims***

1. Claims 1-3, 5-8, 10-15 and 17-21 and 23-33 have been examined.

***Response to Arguments***

2. The Applicant's are of the opinion that the Examiners rejection was inappropriate as the references, individually and/or combined, do not teach a system where "printing service information" and picture image data are stored on a recording medium. The Examiner respectfully disagrees as Moghadam et al. teach communication protocol, agency name, mailing address, billing and image control data magnetically recorded on a recording medium that also stores image data ('219, column 6, lines 28-60) and displaying this data at a user controlled device, such as a computer ('219, figures 3 and 5; column 5, lines 60-65; column 7, lines 3-65). Similarly, Farros et al. teach printing service information stored in computerized files (e.g. recording medium) ('810, column 4, lines 17-21 and 37-42) and a user that interacts with this data in order to create a print order (e.g. displaying printing information to a user) ('810, figures 7 and 8; column/line 10/38-11/21). Farros et al. also teach storing a print order on a floppy disk (e.g. recording medium) and sending it to a remote site for processing ('810,

column 11, lines 22-67). Hence, the references clearly teach "printing service information" and picture image data being stored on a recording medium.

Regarding "... updated printing service information...", Farros et al. provide this data to the user through the use of receipts and visual confirmation which verify the services ordered by a user ('810, column 11, lines 22-67).

The Examiner maintains the rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 5-8, 10-15, 17-21 and 23-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moghadam et al, U.S. Patent No. 5,799,219 in view of Farros et al., U.S. Patent No. 5,930,810.

As per claims 1-3, 5, 6, 11-13, 18, 19 and 25-27, Moghadam discloses a picture print ordering system comprising the steps of recording picture image data obtained by reading a developed film at a primary and secondary storage unit (figure 4). Moghadam provides for the generation, display and input of printing service related data such as size, quantity, availability and service provider (figures 3 and 5; column 1, lines 55-64; column 4, lines 1-46; column 6, lines 1-10 and 35-67; column 7, lines 3-26; column 8, lines 1-26). Regarding high resolution images, Moghadam et al. disclose user selection of image resolution (column 6, lines 1-10 and 54-55). Therefore, it would have been obvious to one of ordinary skill in the art to apply the system of Moghadam et al. to high resolution image processing. Although, a user of the Moghadam et al. system utilizes a plurality of print service related data in order to facilitate remote image processing (column 6, lines 1-55; column 8, lines 1-26), it is not however, explicit as to whether this data is displayed to the user. Farros et al. teach a printing system that allows a user to view print service information that includes a plurality of attributes (figures 1, 4, 7 and 10, column/line 10/38-11/21) and price data (column 4, lines 37-66). And like Moghadam et al. (figures 3 and 4), Farros et al. teach primary and secondary storage units, as well as using a communications network to produce a user defined "finished product" (figure 4; column 2, lines 60-67; column/line 3/65-4/15; column 7, lines 6-36; column/line 8/9-9/31; column 10, lines 1-36; column 11, lines 22-67). Therefore, it would have been obvious for

one of ordinary skill of the art to combine the teachings of Moghadam et al. and Farros et al. Both teach systems that apply modern technological innovations to visual data processing. Specifically, they allow users to communicate processing specifications (e.g. place an order) directly with service providers over a global network. However, by implementing the system with visual verification and a receipt ('810, column 11, lines 22-67), a user of the Moghadam et al. system can provide evidence of service a request in the event of processing or payment errors.

As per claims 28-33, Moghadam et al. disclose a picture print ordering system that provides for the generation, display and input of printing service related data such as size, quantity, availability and service provider (figures 3 and 5; column 1, lines 55-64; column 4, lines 1-46; column 6, lines 1-10 and 35-67; column 7, lines 3-26; column 8, lines 1-26). Although, a user of the Moghadam et al. system utilizes a plurality of print service related data in order to facilitate remote image processing (column 6, lines 1-55; column 8, lines 1-26), it is not however, explicit as to whether the final order is displayed to the user. Recall Farros et al. use receipts and visual confirmation to implement their system ('810, column 11, lines 22-67). Receipts and visual confirmation reflect updated information. They also provide evidence of a users service requests and items and/or services purchased. Hence, they necessarily indicate to a user current printing service capabilities of a printing service. Therefore, it would have been

obvious to combine the teachings of Moghadam et al. and Farros et al. By implementing the Moghadam et al. system with visual verification and a receipt, a user can provide evidence of a requested service if he/she is dissatisfied with the finished product and also check for front-end input errors on the part of the user.

As per claims 7, 14, and 20, they are similar to claim 2. Therefore, the rejection of claim 2, is being applied to claims 7, 14 and 20.

As per claims 8, 15 and 21, they are similar to claim 3. Therefore, the rejection of claim 3 is being applied to claims 8, 15 and 21.

As per claims 10, 17 and 23, they are similar to claim 5. Therefore, the rejection of claim 5 is being applied to claims 10, 17 and 23.

As per claim 24, it is similar to claim 18. Therefore, the rejection of claim 18 is being applied to claim 24.

### ***Conclusion***

- 5. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Calvin Loyd Hewitt II whose telephone number is (703) 308-8057. The Examiner can normally be reached on Monday-Friday from 8:30 AM-5:00 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, James P. Trammell, can be reached at (703) 305-9768.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
c/o Technology Center 2100  
Washington, D.C. 20231

or faxed to :

(703) 746-7239 (for formal communications intended for entry),  
(703) 746-7238 (for after-final communications),

or:

(703) 746-7240 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

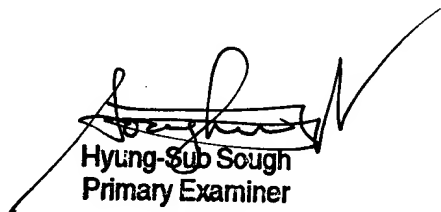


Hand-delivered responses should be brought to Crystal Park II, 2121  
Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application  
should be directed to the Group receptionist whose telephone number is (703)  
305-3900.

Calvin Loyd Hewitt II

December 19, 2001



Hyung-Sub Sough  
Primary Examiner